

MEMORANDUM

DATE: July 1, 2021  
TO: ALL EMPLOYEES  
FROM: ANNUAL NOTICE TO EMPLOYEES

To conform to state and federal guidelines, Oroville Union High School District annually disseminates the following reminders to all employees:

CHILD ABUSE AND NEGLECT REPORTING ACT REQUIREMENTS

Employees shall be knowledgeable about the issues and reporting requirements of child abuse and neglect. New and substitute employees shall be provided a copy of Section 11164 et seq. of the Penal Code and sign the appropriate verification.

Section 11164-11174.3 of the Penal Code requires any child care custodian, medical practitioner, non-medical practitioner, or employee of a child protective agency who has knowledge of or observes a child in his or her professional capacity or within the scope of his or her employment whom he or she knows or reasonably suspects has been the victim of child abuse or neglect to report the known or suspected instance of a child abuse or neglect to a child protective agency immediately or as soon as practically possible by telephone and to prepare and send a written report thereof within 36 hours of receiving the information concerning the incident.

Not only is child abuse unlawful, it is not tolerated at OUHSD. If you suspect child abuse, please report it immediately to your supervisor or Superintendent. Refer to Governing Board Policy 5141.4.

DRUG and ALCOHOL-FREE WORKPLACE

The maintenance of drug and alcohol-free workplaces is essential to school and the Oroville Union High School District.

Employees shall be notified of illegal and prohibited drug and alcohol activities and actions. The notification shall specify the actions that will be taken against employees who violate these prohibitions. The notification shall also state that as condition of employment, the employee will abide by the terms of this policy and notify the employer, within five days, of any criminal drug or alcohol statute conviction which he/she receives for a violation occurring in the workplace.

For the purpose of this policy, "conviction" shall mean a finding of guilt, including a plea of nolo contendere, or imposition of sentence, or both, by any judicial body charged to determine violations of federal or state criminal drug or alcohol statutes.

A drug alcohol-free awareness program shall inform employees about:

1. The dangers of drug and alcohol abuse in the workplace;
2. The OUHSD policy of maintaining drug and alcohol-free workplaces;
3. Any available drug and alcohol counseling, rehabilitation, and employee assistance program; and
4. The penalties that may be imposed on employees for drug and alcohol abuse violations.

The appropriate federal granting or contracting agencies shall be notified within ten (10) days after receiving notification, from an employee or otherwise, of any conviction for a violation occurring in the workplace.

Disciplinary action shall be made in accordance with relevant state and federal laws, employment contracts, collective bargaining agreements, and the Oroville Union High School District policies and practices.

As used in this policy "drug" and "drugs" refer to controlled substances as defined by State and Federal law.

Tobacco-Free Schools

Smoking and the use of tobacco products is prohibited at all times in district-owned or leased buildings, on district property and in district vehicles. This prohibition applies to all employees, students and visitors at any instructional program, activity or athletic event.

All individuals on Oroville Union High School District premises share in the responsibility of adhering to this policy and informing appropriate school officials of any violations.

### Uniform Complaint Procedure

#### **Statement of Purpose:**

The Governing Board recognizes that the district is primarily responsible for complying with applicable state and federal laws and regulations governing educational programs. The district shall investigate complaints alleging failure to comply with such laws and/or alleging discrimination and shall seek to resolve those complaints in accordance with the district's uniform complaint procedures. (5 CCR 4620)

The district shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination against any protected group as identified under Education Code 200 and 220 and Government Code 11135, including actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any district program or activity that receives or benefits from state financial assistance. (5 CCR 4610)

Uniform complaint procedures shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and career technical and technical training programs, child care and development programs, child nutrition programs, and special education programs. (5 CCR 4610)

The Board encourages the early, informal resolution of complaints at the site level whenever possible.

The Board acknowledges and respects every individual's right to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process. This may include keeping the identity of the complainant confidential, as appropriate and except to the extent necessary to carry out the investigation or proceedings, as determined by the Superintendent or designee, on a case-by-case basis.

The Board prohibits any form of retaliation against any complainant in the complaint process, including but not limited to a complainant's filing of a complaint or the reporting of instances of discrimination. Such participation shall not in any way affect the status, grades, or work assignments of the complainant.

The Board recognizes that a neutral mediator can often suggest a compromise that is agreeable to all parties in a dispute. In accordance with uniform complaint procedures, whenever all parties to a complaint agree to try resolving their problem through mediation, the Superintendent or designee shall initiate that process. The Superintendent or designee shall ensure that the results are consistent with state and federal laws and regulations.

#### **Compliance Officer:**

The Governing Board designates the following compliance officer(s) to receive and investigate complaints and to ensure district compliance with law:

Superintendent  
Oroville Union High School District  
2211 Washington Avenue  
Oroville, CA 95966  
(530) 538-2300, extension 1107

The Superintendent or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Superintendent or designee.

## Procedures:

The following procedures shall be used to address all complaints which allege that the district has violated federal or state laws or regulations governing educational programs. The Compliance Officer shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with California Code of Regulations, Title 5, Section 4632 (5 CCR 4632).

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled and when a decision or ruling is made.

The Board prohibits retaliation in any form for the filing of a complaint, the reporting of instances of discrimination or participation in complaint procedures. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

The Board acknowledges and respects student and employee rights to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the facts. This includes keeping the identity of the complainant confidential except to the extent necessary to carry out the investigation or proceedings, as determined by the Superintendent or designee on a case-by-case basis.

The Superintendent or designee shall annually provide written notification of the district's uniform complaint procedures to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

The Superintendent or designee shall make available copies of the district's uniform complaint procedures free of charge. (5 CCR 4622)

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination laws, if applicable
3. Advise the complainant of the appeal process pursuant to Education Code 262.3, including the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies
4. Include statements that:
  - a. The district is primarily responsible for compliance with state and federal laws and regulations
  - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline
  - c. An unlawful discrimination complaint must be filed not later than six months from the date the alleged discrimination occurs, or six months from the date the complainant first obtains knowledge of the facts of the alleged discrimination
  - d. The complainant has a right to appeal the district's decision to the CDE by filing a written appeal within 15 days of receiving the district's decision
  - e. The appeal to the CDE must include a copy of the complaint filed with the district and a copy of the district's decision

### **Step 1: Filing of Complaint:**

Any individual, public agency or organization may file a written complaint of alleged noncompliance by the district. (5 CCR 4630)

A complaint alleging unlawful discrimination shall be initiated no later than six months from the date when the alleged discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination. A complaint may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination. (5 CCR 4630)

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

### **Step 2: Mediation:**

Within three days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a discrimination complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall precede with his/her investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. (5 CCR 4631)

### **Step 3: Investigation of Complaint:**

The compliance officer is encouraged to hold an investigative meeting within five days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally.

The complainant and/or his/her representative shall have an opportunity to present the complaint and evidence or information leading to evidence to support the allegations in the complaint. (5 CCR 4631)

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, or his/her failure or refusal to cooperate in the investigation or his/her engagement in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegation. (5 CCR 4631)

The district's refusal to provide the investigator with access to records and/or other information related to the allegation in the complaint, or its failure or refusal to cooperate in the investigation or its engagement in any other obstruction of the investigation, may result in a finding, based on evidence collected, that a violation has occurred and may result in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

### **Step 4: Response:**

Within 30 days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision, as described in Step #5 below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five days, file his/her complaint in writing with the Board.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 days of the district's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

**Step 5: Final Written Decision:**

The district's decision shall be in writing and sent to the complainant. (5 CCR 4631)

The district's decision shall be written in English and in the language of the complainant whenever feasible or as required by law.

The decision shall include:

1. The findings of fact based on the evidence gathered (5 CCR 4631)
2. The conclusion(s) of law (5 CCR 4631)
3. Disposition of the complaint (5 CCR 4631)
4. Rationale for such disposition (5 CCR 4631)
5. Corrective actions, if any are warranted (5 CCR 4631)
6. Notice of the complainant's right to appeal the district's decision within 15 days to the CDE and procedures to be followed for initiating such an appeal (5 CCR 4631)
7. For discrimination complaints, notice that the complainant must wait until 60 days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies (Education Code 262.3)

If an employee is disciplined as a result of the complaint, the decision shall simply state that effective action was taken and that the employee was informed of district expectations. The report shall not give any further information as to the nature of the disciplinary action.

**Appeals to the California Department of Education:**

If dissatisfied with the district's decision, the complainant may appeal in writing to the CDE within 15 days of receiving the district's decision. When appealing to the CDE, the complainant must specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the district's decision. (5 CCR 4632)

Upon notification by the CDE that the complainant has appealed the district's decision, the Superintendent or designee shall forward the following documents to the CDE: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the decision
3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision
4. A copy of the investigation file, including but not limited to all notes, interviews, and documents submitted by the parties and gathered by the investigator
5. A report of any action taken to resolve the complaint
6. A copy of the district's complaint procedures
7. Other relevant information requested by the CDE

The CDE may directly intervene in the complaint without waiting for action by the district when one of the conditions listed in 5 CCR 4650 exists; including cases in which the district has not taken action within 60 days of the date the complaint was filed with the district.

### **Civil Law Remedies**

A complainant may pursue available civil law remedies outside of the district's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For discrimination complaints, however, a complainant must wait until 60 days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if the district has appropriately, and in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622.

American Arbitration Association, (800) 778-7879

State Mediation & Conciliation Services, (510) 873-6465

Superintendent, Butte County Office of Education, (530) 532-5761

### **LCAP Requirements - Education Code Sections 52060-52077**

#### **52060.**

(a) On or before July 1, 2014, the governing board of each school district shall adopt a local control and accountability plan using a template adopted by the state board.

(b) A local control and accountability plan adopted by a governing board of a school district shall be effective for a period of three years, and shall be updated on or before July 1 of each year.

(c) A local control and accountability plan adopted by a governing board of a school district shall include, for the school district and each school within the school district, both of the following:

(1) A description of the annual goals, for all pupils and each subgroup of pupils identified pursuant to Section 52052, to be achieved for each of the state priorities identified in subdivision (d) and for any additional local priorities identified by the governing board of the school district. For purposes of this article, a subgroup of pupils identified pursuant to Section 52052 shall be a numerically significant pupil subgroup as specified in paragraphs (2) and (3) of subdivision (a) of Section 52052.

(2) A description of the specific actions the school district will take during each year of the local control and accountability plan to achieve the goals identified in paragraph (1), including the enumeration of any specific actions necessary for that year to correct any deficiencies in regard to the state priorities listed in paragraph (1) of subdivision (d). The specific actions shall not supersede the provisions of existing local collective bargaining agreements within the jurisdiction of the school district.

(d) All of the following are state priorities:

(1) The degree to which the teachers of the school district are appropriately assigned in accordance with Section 44258.9, and fully credentialed in the subject areas, and, for the pupils they are teaching, every pupil in the school district has sufficient access to the standards-aligned instructional materials as determined pursuant to Section 60119, and school facilities are maintained in good repair as specified in subdivision (d) of Section 17002.

(2) Implementation of the academic content and performance standards adopted by the state board, including how the programs and services will enable English learners to access the common core academic content standards adopted pursuant to Section 60605.8 and the English language development standards adopted pursuant to Section 60811.3 for purposes of gaining academic content knowledge and English language proficiency.

(3) Parental involvement, including efforts the school district makes to seek parent input in making decisions for the school district and each individual school site, and including how the school district will promote parental participation in programs for unduplicated pupils and individuals with exceptional needs.

(4) Pupil achievement, as measured by all of the following, as applicable:

- (A) Statewide assessments administered pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 or any subsequent assessment, as certified by the state board.
- (B) The Academic Performance Index, as described in Section 52052.
- (C) The percentage of pupils who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study that align with state board-approved career technical educational standards and frameworks, including, but not limited to, those described in subdivision (a) of Section 52302, subdivision (a) of Section 52372.5, or paragraph (2) of subdivision (e) of Section 54692.
- (D) The percentage of English learner pupils who make progress toward English proficiency as measured by the California English Language Development Test or any subsequent assessment of English proficiency, as certified by the state board.
- (E) The English learner reclassification rate.
- (F) The percentage of pupils who have passed an advanced placement examination with a score of 3 or higher.
- (G) The percentage of pupils who participate in, and demonstrate college preparedness pursuant to, the Early Assessment Program, as described in Chapter 6 (commencing with Section 99300) of Part 65 of Division 14 of Title 3, or any subsequent assessment of college preparedness.
- (5) Pupil engagement, as measured by all of the following, as applicable:
  - (A) School attendance rates.
  - (B) Chronic absenteeism rates.
  - (C) Middle school dropout rates, as described in paragraph (3) of subdivision (a) of Section 52052.1.
  - (D) High school dropout rates.
  - (E) High school graduation rates.
- (6) School climate, as measured by all of the following, as applicable:
  - (A) Pupil suspension rates.
  - (B) Pupil expulsion rates.
  - (C) Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness.
- (7) The extent to which pupils have access to, and are enrolled in, a broad course of study that includes all of the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable, including the programs and services developed and provided to unduplicated pupils and individuals with exceptional needs, and the program and services that are provided to benefit these pupils as a result of the funding received pursuant to Section 42238.02, as implemented by Section 42238.03.
- (8) Pupil outcomes, if available, in the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable.
  - (e) For purposes of the descriptions required by subdivision (c), a governing board of a school district may consider qualitative information, including, but not limited to, findings that result from school quality reviews conducted pursuant to subparagraph (J) of paragraph (4) of subdivision (a) of Section 52052 or any other reviews.
  - (f) To the extent practicable, data reported in a local control and accountability plan shall be reported in a manner consistent with how information is reported on a school accountability report card.
  - (g) A governing board of a school district shall consult with teachers, principals, administrators, other school personnel, local bargaining units of the school district, parents, and pupils in developing a local control and accountability plan.
  - (h) A school district may identify local priorities, goals in regard to the local priorities, and the method for measuring the school district's progress toward achieving those goals.

*(Amended by Stats. 2013, Ch. 357, Sec. 40. Effective September 26, 2013.)*

**52061.**

(a) On or before July 1, 2015, and each year thereafter, a school district shall update the local control and accountability plan. The annual update shall be developed using a template developed pursuant to Section 52064 and shall include all of the following:

- (1) A review of any changes in the applicability of the goals described in paragraph (1) of subdivision (c) of Section 52060.
- (2) A review of the progress toward the goals included in the existing local control and accountability plan, an assessment of the effectiveness of the specific actions described in the existing local control and accountability plan toward achieving the goals, and a description of changes to the specific actions the school district will make as a result of the review and assessment.
- (3) A listing and description of the expenditures for the fiscal year implementing the specific actions included in the local control and accountability plan and the changes to the specific actions made as a result of the reviews and assessment required by paragraphs (1) and (2).
- (4) A listing and description of expenditures for the fiscal year that will serve the pupils to whom one or more of the definitions in Section 42238.01 apply and pupils re-designated as fluent English proficient.

(b) The expenditures identified in subdivision (a) shall be classified using the California School Accounting Manual pursuant to Section 41010.

*(Amended by Stats. 2013, Ch. 357, Sec. 41. Effective September 26, 2013.)*

**52062.**

(a) Before the governing board of a school district considers the adoption of a local control and accountability plan or an annual update to the local control and accountability plan, all of the following shall occur:

- (1) The superintendent of the school district shall present the local control and accountability plan or annual update to the local control and accountability plan to the parent advisory committee established pursuant to Section 52063 for review and comment. The superintendent of the school district shall respond, in writing, to comments received from the parent advisory committee.
- (2) The superintendent of the school district shall present the local control and accountability plan or annual update to the local control and accountability plan to the English learner parent advisory committee established pursuant to Section 52063, if applicable, for review and comment. The superintendent of the school district shall respond, in writing, to comments received from the English learner parent advisory committee.
- (3) The superintendent of the school district shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the local control and accountability plan or annual update to the local control and accountability plan, using the most efficient method of notification possible. This paragraph shall not require a school district to produce printed notices or to send notices by mail. The superintendent of the school district shall ensure that all written notifications related to the local control and accountability plan or annual update to the local control and accountability plan are provided consistent with Section 48985.
- (4) The superintendent of the school district shall review school plans submitted pursuant to Section 64001 for schools within the school district and ensure that the specific actions included in the local control and accountability plan or annual update to the local control and accountability plan are consistent with strategies included in the school plans submitted pursuant to Section 64001.

(b) (1) A governing board of a school district shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the local control and accountability plan or annual update to the local control and accountability plan. The agenda for the public hearing shall be posted at least 72 hours before the public hearing and shall include the location where the local control and accountability plan or annual update to the local control and accountability plan will be available for public inspection. The public hearing shall be held at the same meeting as the public hearing required by paragraph (1) of subdivision (a) of Section 42127.

(2) A governing board of a school district shall adopt a local control and accountability plan or annual update to the local control and accountability plan in a public meeting. This meeting shall be held after, but not on the same day as, the public hearing held pursuant to paragraph (1). This meeting shall be the same meeting as that during which the governing board of the school district adopts a budget pursuant to paragraph (2) of subdivision (a) of Section 42127.

(c) A governing board of a school district may adopt revisions to a local control and accountability plan during the period the local control and accountability plan is in effect. A governing board of a school district may only adopt a revision to a local



control and accountability plan if it follows the process to adopt a local control and accountability plan pursuant to this section and the revisions are adopted in a public meeting.

*(Amended by Stats. 2013, Ch. 357, Sec. 42. Effective September 26, 2013.)*

**52063.**

(a) (1) The governing board of a school district shall establish a parent advisory committee to provide advice to the governing board of the school district and the superintendent of the school district regarding the requirements of this article.

(2) A parent advisory committee shall include parents or legal guardians of pupils to whom one or more of the definitions in Section 42238.01 apply.

(3) This subdivision shall not require the governing board of the school district to establish a new parent advisory committee if the governing board of the school district already has established a parent advisory committee that meets the requirements of this subdivision, including any committee established to meet the requirements of the federal No Child Left Behind Act of 2001 (Public Law 107-110) pursuant to Section 1112 of Subpart 1 of Part A of Title I of that act.

(b) (1) The governing board of a school district shall establish an English learner parent advisory committee if the enrollment of the school district includes at least 15 percent English learners and the school district enrolls at least 50 pupils who are English learners.

(2) This subdivision shall not require the governing board of the school district to establish a new English learner parent advisory committee if the governing board of the school district already has established a committee that meets the requirements of this subdivision.

*(Added by Stats. 2013, Ch. 47, Sec. 103. Effective July 1, 2013.)*

**52064.**

(a) On or before March 31, 2014, the state board shall adopt templates for the following purposes:

(1) For use by school districts to meet the requirements of Sections 52060 to 52063, inclusive.

(2) For use by county superintendents of schools to meet the requirements of Sections 52066 to 52069, inclusive.

(3) For use by charter schools to meet the requirements of Section 47606.5.

(b) The templates developed by the state board shall allow a school district, county superintendent of schools, or charter school to complete a single local control and accountability plan to meet the requirements of this article and the requirements of the federal No Child Left Behind Act of 2001 related to local educational agency plans pursuant to Section 1112 of Subpart 1 of Part A of Title I of Public Law 107-110. The state board shall also take steps to minimize duplication of effort at the local level to the greatest extent possible. The template shall include guidance for school districts, county superintendents of schools, and charter schools to report both of the following:

(1) A listing and description of expenditures for the 2014-15 fiscal year, and each fiscal year thereafter, implementing the specific actions included in the local control and accountability plan.

(2) A listing and description of expenditures for the 2014-15 fiscal year, and each fiscal year thereafter, that will serve the pupils to whom one or more of the definitions in Section 42238.01 apply and pupils re-designated as fluent English proficient.

(c) If possible, the templates identified in paragraph (2) of subdivision (a) for use by county superintendents of schools shall allow a county superintendent of schools to develop a single local control and accountability plan that would also satisfy the requirements of Section 48926.

(d) The state board shall adopt the template pursuant to the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). The state board may adopt emergency regulations for purposes of implementing this section. The adoption of emergency regulations shall be deemed an emergency and necessary for the immediate preservation of the public peace, health, safety, or general welfare.

(e) Notwithstanding subdivision (d), the state board may adopt the template in accordance with the requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code). When adopting the template pursuant to the requirements of the Bagley-Keene Open Meeting Act, the state board shall present the template at a regular meeting and may only take action to adopt the template at a subsequent regular meeting. This subdivision shall become inoperative on January 31, 2018.

(f) Revisions to a template or evaluation rubric shall be approved by the state board by January 31 before the fiscal year during which the template or evaluation rubric is to be used by a school district, county superintendent of schools, or charter school.

(g) The adoption of a template or evaluation rubric by the state board shall not create a requirement for a governing board of a school district, a county board of education, or a governing body of a charter school to submit a local control and accountability plan to the state board, unless otherwise required by federal law. The Superintendent shall not require a local control and accountability plan to be submitted by a governing board of a school district or the governing body of a charter school to the state board. The state board may adopt a template or evaluation rubric that would authorize a school district or a charter school to submit to the state board only the sections of the local control and accountability plan required by federal law.

*(Amended by Stats. 2014, Ch. 33, Sec. 47. Effective June 20, 2014.)*

**52064.5.**

(a) On or before October 1, 2015, the state board shall adopt evaluation rubrics for all of the following purposes:

(1) To assist a school district, county office of education, or charter school in evaluating its strengths, weaknesses, and areas that require improvement.

(2) To assist a county superintendent of schools in identifying school districts and charter schools in need of technical assistance pursuant to Section 52071 or 47607.3, as applicable, and the specific priorities upon which the technical assistance should be focused.

(3) To assist the Superintendent in identifying school districts for which intervention pursuant to Section 52072 is warranted.

(b) The evaluation rubrics shall reflect a holistic, multidimensional assessment of school district and individual school site performance and shall include all of the state priorities described in subdivision (d) of Section 52060.

(c) As part of the evaluation rubrics, the state board shall adopt standards for school district and individual school site performance and expectation for improvement in regard to each of the state priorities described in subdivision (d) of Section 52060.

*(Added by Stats. 2013, Ch. 47, Sec. 103. Effective July 1, 2013.)*

**52065.**

(a) The superintendent of a school district shall post on the Internet Web site of the school district any local control and accountability plan approved by the governing board of the school district, and any updates or revisions to a local control and accountability plan approved by the governing board of the school district.

(b) A county superintendent of schools shall do all of the following:

(1) Post on the Internet Web site of the county office of education any local control and accountability plan approved by the county board of education, and any updates or revisions to a local control and accountability plan approved by the county board of education.

(2) Post all local control and accountability plans submitted by school districts, or links to those plans, on the Internet Web site of the county office of education.

(3) Transmit or otherwise make available to the Superintendent all local control and accountability plans submitted to the county superintendent of schools by school districts and the local control and accountability plan approved by the county board of education.

(c) The Superintendent shall post links to all local control and accountability plans approved by the governing boards of school districts and county boards of education on the Internet Web site of the department.

*(Added by Stats. 2013, Ch. 47, Sec. 103. Effective July 1, 2013.)*

**52066.**

(a) On or before July 1, 2014, each county superintendent of schools shall develop, and present to the county board of education for adoption, a local control and accountability plan using a template adopted by the state board.

(b) A local control and accountability plan adopted by a county board of education shall be effective for a period of three years, and shall be updated on or before July 1 of each year.

(c) A local control and accountability plan adopted by a county board of education shall include, for each school or program operated by the county superintendent of schools, both of the following:

(1) A description of the annual goals, for all pupils and each subgroup of pupils identified pursuant to Section 52052, to be achieved for each of the state priorities identified in subdivision (d), as applicable to the pupils served, and for any additional local priorities identified by the county board of education.

(2) A description of the specific actions the county superintendent of schools will take during each year of the local control and accountability plan to achieve the goals identified in paragraph (1), including the enumeration of any specific actions necessary for that year to correct any deficiencies in regard to the state priorities listed in paragraph (1) of subdivision (d). The specific actions shall not supersede the provisions of existing local collective bargaining agreements within the jurisdiction of the county superintendent of schools.

(d) All of the following are state priorities:

(1) The degree to which the teachers in the schools or programs operated by the county superintendent of schools are appropriately assigned in accordance with Section 44258.9 and fully credentialed in the subject areas, and, for the pupils they are teaching, every pupil in the schools or programs operated by the county superintendent of schools has sufficient access to the standards-aligned instructional materials as determined pursuant to Section 60119, and school facilities are maintained in good repair as specified in subdivision (d) of Section 17002.

(2) Implementation of the academic content and performance standards adopted by the state board, including how the programs and services will enable English learners to access the common core academic content standards adopted pursuant to Section 60605.8 and the English language development standards adopted pursuant to Section 60811.3 for purposes of gaining academic content knowledge and English language proficiency.

(3) Parental involvement, including efforts the county superintendent of schools makes to seek parent input in making decisions for each individual school site and program operated by a county superintendent of schools, and including how the county superintendent of schools will promote parental participation in programs for unduplicated pupils and individuals with exceptional needs.

(4) Pupil achievement, as measured by all of the following, as applicable:

(A) Statewide assessments administered pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 or any subsequent assessment, as certified by the state board.

(B) The Academic Performance Index, as described in Section 52052.

(C) The percentage of pupils who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study that align with state board-approved career technical education standards and frameworks, including, but not limited to, those described in subdivision (a) of Section 52302, subdivision (a) of Section 52372.5, or paragraph (2) of subdivision (e) of Section 54692.

(D) The percentage of English learner pupils who make progress toward English proficiency as measured by the California English Language Development Test or any subsequent assessment of English proficiency, as certified by the state board.

(E) The English learner reclassification rate.

(F) The percentage of pupils who have passed an advanced placement examination with a score of 3 or higher.

(G) The percentage of pupils who participate in, and demonstrate college preparedness pursuant to, the Early Assessment Program, as described in Chapter 6 (commencing with Section 99300) of Part 65 of Division 14 of Title 3, or any subsequent assessment of college preparedness.

(5) Pupil engagement, as measured by all of the following, as applicable:

(A) School attendance rates.

(B) Chronic absenteeism rates.

(C) Middle school dropout rates, as described in paragraph (3) of subdivision (a) of Section 52052.1.

(D) High school dropout rates.

(E) High school graduation rates.

(6) School climate, as measured by all of the following, as applicable:

(A) Pupil suspension rates.

(B) Pupil expulsion rates.

(C) Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness.

(7) The extent to which pupils have access to, and are enrolled in, a broad course of study that includes all of the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable, including the programs and services developed and provided to unduplicated pupils and individuals with exceptional needs, and the program and services that are provided to benefit these pupils as a result of the funding received pursuant to Section 42238.02, as implemented by Section 42238.03.

(8) Pupil outcomes, if available, in the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable.

(9) How the county superintendent of schools will coordinate instruction of expelled pupils pursuant to Section 48926.

(10) How the county superintendent of schools will coordinate services for foster children, including, but not limited to, all of the following:

(A) Working with the county child welfare agency to minimize changes in school placement.

(B) Providing education-related information to the county child welfare agency to assist the county child welfare agency in the delivery of services to foster children, including, but not limited to, educational status and progress information that is required to be included in court reports.

(C) Responding to requests from the juvenile court for information and working with the juvenile court to ensure the delivery and coordination of necessary educational services.

(D) Establishing a mechanism for the efficient expeditious transfer of health and education records and the health and education passport.

(e) For purposes of the descriptions required by subdivision (c), a county board of education may consider qualitative information, including, but not limited to, findings that result from school quality reviews conducted pursuant to subparagraph (J) of paragraph (4) of subdivision (a) of Section 52052 or any other reviews.

(f) To the extent practicable, data reported in a local control and accountability plan shall be reported in a manner consistent with how information is reported on a school accountability report card.

(g) The county superintendent of schools shall consult with teachers, principals, administrators, other school personnel, local bargaining units of the county office of education, parents, and pupils in developing a local control and accountability plan.

(h) A county board of education may identify local priorities, goals in regard to the local priorities, and the method for measuring the county office of education's progress toward achieving those goals.

*(Amended by Stats. 2013, Ch. 357, Sec. 44. Effective September 26, 2013.)*

**52067.**

(a) On or before July 1, 2015, and each year thereafter, a county board of education shall update the local control and accountability plan. The annual update shall be developed using a template developed pursuant to Section 52064 and shall include all of the following:

(1) A review of any changes in the applicability of the goals described in paragraph (1) of subdivision (c) of Section 52066.

(2) A review of the progress toward the goals included in the existing local control and accountability plan, an assessment of the effectiveness of the specific actions described in the existing local control and accountability plan toward achieving the goals, and a description of changes to the specific actions the county office of education will make as a result of the review and assessment.

(3) A listing and description of the expenditures for the fiscal year implementing the specific actions included in the local control and accountability plan as a result of the reviews and assessment required by paragraphs (1) and (2).

(4) A listing and description of expenditures for the fiscal year that will serve the pupils to whom one or more of the definitions in Section 42238.01 apply and pupils redesignated as fluent English proficient.

(b) The expenditures identified in subdivision (a) shall be classified using the California School Accounting Manual pursuant to Section 41010.

*(Added by Stats. 2013, Ch. 47, Sec. 103. Effective July 1, 2013.)*

**52068.**

(a) Before the county board of education considers the adoption of a local control and accountability plan or an annual update to the local control and accountability plan, all of the following shall occur:

- (1) The county superintendent of schools shall present the local control and accountability plan or annual update to the local control and accountability plan to a parent advisory committee established pursuant to Section 52069 for review and comment. The county superintendent of schools shall respond, in writing, to comments received from the parent advisory committee.
- (2) The county superintendent of schools shall present the local control and accountability plan or annual update to the local control and accountability plan to the English learner parent advisory committee established pursuant to Section 52069, if applicable, for review and comment. The county superintendent of schools shall respond, in writing, to comments received from the English learner parent advisory committee.
- (3) The county superintendent of schools shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the local control and accountability plan or annual update to the local control and accountability plan, using the most efficient method of notification possible. This paragraph shall not require a county superintendent of schools to produce printed notices or to send notices by mail. The county superintendent of schools shall ensure that all written notifications related to the local control and accountability plan or annual update to the local control and accountability plan are provided consistent with Section 48985.
- (4) The county superintendent of schools shall review school plans submitted pursuant to Section 64001 for schools operated by the county superintendent of schools and ensure that the specific actions included in the local control and accountability plan or annual update to the local control and accountability plan are consistent with strategies included in the school plans submitted pursuant to Section 64001.

(b) (1) The county board of education shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the local control and accountability plan or annual update to the local control and accountability plan. The agenda for the public hearing shall be posted at least 72 hours before the public hearing and shall include the location where the local control and accountability plan or annual update to the local control and accountability plan, and any comments received pursuant to paragraphs (1) to (3), inclusive, of subdivision (a), will be available for public inspection. The public hearing shall be held at the same meeting as the public hearing required by Section 1620.

(2) The county board of education shall adopt a local control and accountability plan or annual update to the local control and accountability plan in a public meeting. This meeting shall be held after, but not on the same day as, the public hearing held pursuant to paragraph (1). This meeting shall be the same meeting as that during which the county board of education adopts a budget pursuant to Section 1622.

(c) A county superintendent of schools may develop and present to a county board of education for adoption revisions to a local control and accountability plan during the period the local control and accountability plan is in effect. The county board of education may only adopt a revision to a local control and accountability plan if it follows the process to adopt a local control and accountability plan pursuant to this section and the revisions are adopted in a public meeting.

*(Amended by Stats. 2013, Ch. 357, Sec. 45. Effective September 26, 2013.)*

**52069.**

(a) (1) A county superintendent of schools shall establish a parent advisory committee to provide advice to the county board of education and the county superintendent of schools regarding the requirements of this article.

(2) A parent advisory committee shall include parents or legal guardians of pupils to whom one or more of the definitions in Section 42238.01 apply.

(3) This subdivision shall not require the county superintendent of schools to establish a new parent advisory committee if the county superintendent of schools already has established a parent advisory committee that meets the requirements of this subdivision, including any committee established to meet the requirements of the federal No Child Left Behind Act of 2001 (Public Law 107-110) pursuant to Section 1112 of Subpart 1 of Part A of Title I of that act.

(b) (1) A county superintendent of schools shall establish an English learner parent advisory committee if the enrollment of the pupils in the schools and programs operated by the county superintendent of schools includes at least 15 percent English learners and the schools and programs operated by the county superintendent of schools enroll at least 50 pupils who are English learners.

(2) This subdivision shall not require the county superintendent of schools to establish a new English learner parent advisory committee if the county superintendent of schools already has established a committee that meets the requirements of this subdivision.

*(Added by Stats. 2013, Ch. 47, Sec. 103. Effective July 1, 2013.)*

**52070.**

(a) Not later than five days after adoption of a local control and accountability plan or annual update to a local control and accountability plan, the governing board of a school district shall file the local control and accountability plan or annual update to the local control and accountability plan with the county superintendent of schools.

(b) On or before August 15 of each year, the county superintendent of schools may seek clarification, in writing, from the governing board of a school district about the contents of the local control and accountability plan or annual update to the local control and accountability plan. Within 15 days the governing board of a school district shall respond, in writing, to requests for clarification.

(c) Within 15 days of receiving the response from the governing board of the school district, the county superintendent of schools may submit recommendations, in writing, for amendments to the local control and accountability plan or annual update to the local control and accountability plan. The governing board of a school district shall consider the recommendations submitted by the county superintendent of schools in a public meeting within 15 days of receiving the recommendations.

(d) The county superintendent of schools shall approve a local control and accountability plan or annual update to a local control and accountability plan on or before October 8, if he or she determines all of the following:

(1) The local control and accountability plan or annual update to the local control and accountability plan adheres to the template adopted by the state board pursuant to Section 52064.

(2) The budget for the applicable fiscal year adopted by the governing board of the school district includes expenditures sufficient to implement the specific actions and strategies included in the local control and accountability plan adopted by the governing board of the school district, based on the projections of the costs included in the plan.

(3) The local control and accountability plan or annual update to the local control and accountability plan adheres to the expenditure requirements adopted pursuant to Section 42238.07 for funds apportioned on the basis of the number and concentration of unduplicated pupils pursuant to Sections 42238.02 and 42238.03.

(e) If a county superintendent of schools has jurisdiction over a single school district, the Superintendent shall perform the duties specified in this section.

*(Amended by Stats. 2014, Ch. 33, Sec. 48. Effective June 20, 2014.)*

**52070.5.**

(a) Not later than five days after adoption of a local control and accountability plan or annual update to a local control and accountability plan, the county board of education shall file the local control and accountability plan or annual update to the local control and accountability plan with the Superintendent.

(b) On or before August 15 of each year, the Superintendent may seek clarification, in writing, from the county board of education about the contents of the local control and accountability plan or annual update to the local control and accountability plan. Within 15 days the county board of education shall respond, in writing, to requests for clarification.

(c) Within 15 days of receiving the response from the county board of education, the Superintendent may submit recommendations, in writing, for amendments to the local control and accountability plan or annual update to the local control and accountability plan. The county board of education shall consider the recommendations submitted by the Superintendent in a public meeting within 15 days of receiving the recommendations.

(d) The Superintendent shall approve a local control and accountability plan or annual update to a local control and accountability plan on or before October 8, if he or she determines all of the following:

(1) The local control and accountability plan or annual update to the local control and accountability plan adheres to the template adopted by the state board pursuant to Section 52064.

(2) The budget for the applicable fiscal year adopted by the county board of education includes expenditures sufficient to implement the specific actions and strategies included in the local control and accountability plan adopted by the county board of education, based on the projections of the costs included in the plan.

(3) The local control and accountability plan or annual update to the local control and accountability plan adheres to the expenditure requirements adopted pursuant to Section 42238.07 for funds apportioned on the basis of the number and concentration of unduplicated pupils pursuant to Sections 2574 and 2575.

*(Amended by Stats. 2013, Ch. 357, Sec. 47. Effective September 26, 2013.)*

#### **52071.**

(a) If a county superintendent of schools does not approve a local control and accountability plan or annual update to the local control and accountability plan approved by a governing board of a school district, or if the governing board of a school district requests technical assistance, the county superintendent of schools shall provide technical assistance, including, among other things, any of the following:

(1) Identification of the school district's strengths and weaknesses in regard to the state priorities described in subdivision (d) of Section 52060, communicated in writing to the school district. This identification shall include a review of effective, evidence-based programs that apply to the school district's goals.

(2) Assignment of an academic expert or team of academic experts to assist the school district in identifying and implementing effective programs that are designed to improve the outcomes for all pupil subgroups identified pursuant to Section 52052. The county superintendent of schools may also solicit another school district within the county to act as a partner to the school district in need of technical assistance.

(3) Request that the Superintendent assign the California Collaborative for Educational Excellence to provide advice and assistance to the school district.

(b) Using an evaluation rubric adopted by the state board pursuant to Section 52064.5, the county superintendent of schools shall provide the technical assistance described in subdivision (a) to any school district that fails to improve pupil achievement across more than one state priority described in subdivision (d) of Section 52060 for one or more pupil subgroup identified pursuant to Section 52052.

(c) Technical assistance provided pursuant to this section at the request of a school district shall be paid for by the school district requesting the assistance.

*(Added by Stats. 2013, Ch. 47, Sec. 103. Effective July 1, 2013.)*

#### **52071.5.**

(a) If the Superintendent does not approve a local control and accountability plan or annual update to the local control and accountability plan approved by a county board of education, or if the county board of education requests technical assistance, the Superintendent shall provide technical assistance, including, among other things, any of the following:

(1) Identification of the county board of education's strengths and weaknesses in regard to the state priorities described in subdivision (d) of Section 52066, communicated in writing to the county board of education. This identification shall include a review of effective, evidence-based programs that apply to the board's goals.

(2) Assignment of an academic expert or team of academic experts, or the California Collaborative for Educational Excellence established pursuant to Section 52074, to assist the county board of education in identifying and implementing effective programs that are designed to improve the outcomes for all pupil subgroups identified pursuant to Section 52052. The Superintendent may also solicit another county office of education to act as a partner to the county office of education in need of technical assistance.

(b) Using an evaluation rubric adopted by the state board pursuant to Section 52064.5, the Superintendent shall provide the technical assistance described in subdivision (a) to any county office of education that fails to improve pupil achievement in regard to more than one state priority described in subdivision (d) of Section 52066 for one or more pupil subgroups identified pursuant to Section 52052.

(c) Technical assistance provided pursuant to this section at the request of a county board of education shall be paid for by the county board of education receiving assistance.

*(Added by Stats. 2013, Ch. 47, Sec. 103. Effective July 1, 2013.)*

#### **52072.**

(a) The Superintendent may, with the approval of the state board, identify school districts in need of intervention.

(b) The Superintendent shall only intervene in a school district that meets both of the following criteria:

(1) The school district did not improve the outcomes for three or more pupil subgroups identified pursuant to Section 52052 or, if the school district has less than three pupil subgroups, all of the school district's pupil subgroups, in regard to more than one state or local priority in three out of four consecutive school years.

(2) The California Collaborative for Educational Excellence has provided advice and assistance to the school district pursuant to Section 52071 and submits either of the following findings to the Superintendent:

(A) That the school district has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence.

(B) That the inadequate performance of the school district, based upon an evaluation rubric adopted pursuant to Section 52064.5, is either so persistent or acute as to require intervention by the Superintendent.

(c) For school districts identified pursuant to subdivision (a), the Superintendent may, with the approval of the state board, do one or more of the following:

(1) Make changes to a local control and accountability plan adopted by the governing board of the school district.

(2) Develop and impose a budget revision, in conjunction with revisions to the local control and accountability plan, that the Superintendent determines would allow the school district to improve the outcomes for all pupil subgroups identified pursuant to Section 52052 in regard to state and local priorities.

(3) Stay or rescind an action, if that action is not required by a local collective bargaining agreement that would prevent the school district from improving outcomes for all pupil subgroups identified pursuant to Section 52052 in regard to state or local priorities.

(4) Appoint an academic trustee to exercise the powers and authority specified in this section on his or her behalf.

(d) The Superintendent shall notify the county superintendent of schools, the county board of education, the superintendent of the school district, and the governing board of the school district of any action by the state board to direct him or her to exercise any of the powers and authorities specified in this section.

*(Added by Stats. 2013, Ch. 47, Sec. 103. Effective July 1, 2013.)*

#### **52072.5.**

(a) The Superintendent may, with the approval of the state board, identify county offices of education in need of intervention.

(b) The Superintendent shall only intervene in a county office of education that meets both of the following criteria:

(1) The county office of education did not improve the outcomes for three or more pupil subgroups identified pursuant to Section 52052 or, if the county office of education has less than three pupil subgroups, all of the county office of education's pupil subgroups, in regard to more than one state or local priority in three out of four consecutive school years.

(2) The California Collaborative for Educational Excellence has provided advice and assistance to the county office of education pursuant to Section 52071.5 and submits either of the following findings to the Superintendent:

(A) That the county office of education has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence.

(B) That the inadequate performance of the county office of education, based upon an evaluation rubric adopted pursuant to Section 52064.5, is either so persistent or acute as to require intervention by the Superintendent.

(c) For county offices of education identified pursuant to subdivision (a), the Superintendent may, with the approval of the state board, do one or more of the following:

(1) Make changes to a local control and accountability plan adopted by the county board of education.

(2) Develop and impose a budget revision, in conjunction with revisions to the local control and accountability plan, that the Superintendent determines would allow the county office of education to improve the outcomes for all pupil subgroups identified pursuant to Section 52052 in regard to state and local priorities.

(3) Stay or rescind an action, if that action is not required by a local collective bargaining agreement, that would prevent the county office of education from improving outcomes for all pupil subgroups identified pursuant to Section 52052 in regard to state or local priorities.

(4) Appoint an academic trustee to exercise the powers and authority specified in this section on his or her behalf.



(d) The Superintendent shall notify the county board of education and the county superintendent of schools, in writing, of any action by the state board to direct him or her to exercise any of the powers and authorities specified in this section.

*(Added by Stats. 2013, Ch. 47, Sec. 103. Effective July 1, 2013.)*

**52074.**

(a) The California Collaborative for Educational Excellence is hereby established.

(b) The purpose of the California Collaborative for Educational Excellence is to advise and assist school districts, county superintendents of schools, and charter schools in achieving the goals set forth in a local control and accountability plan adopted pursuant to this article.

(c) The Superintendent shall, with the approval of the state board, contract with a local educational agency, or consortium of local educational agencies, to serve as the fiscal agent for the California Collaborative for Educational Excellence. The Superintendent shall apportion funds appropriated for the California Collaborative for Educational Excellence to the fiscal agent.

(d) The California Collaborative for Educational Excellence shall be governed by a board consisting of the following five members:

(1) The Superintendent or his or her designee.

(2) The president of the state board or his or her designee.

(3) A county superintendent of schools appointed by the Senate Committee on Rules.

(4) A teacher appointed by the Speaker of the Assembly.

(5) A superintendent of a school district appointed by the Governor.

(e) At the direction of the governing board of the California Collaborative for Educational Excellence, the fiscal agent shall contract with individuals, local educational agencies, or organizations with the expertise, experience, and a record of success to carry out the purposes of this article. The areas of expertise, experience, and record of success shall include, but are not limited to, all of the following:

(1) State priorities as described in subdivision (d) of Section 52060.

(2) Improving the quality of teaching.

(3) Improving the quality of school district and school site leadership.

(4) Successfully addressing the needs of special pupil populations, including, but not limited to, English learners, pupils eligible to receive a free or reduced-price meal, pupils in foster care, and individuals with exceptional needs.

(f) The Superintendent may direct the California Collaborative for Educational Excellence to advise and assist a school district, county superintendent of schools, or charter school in any of the following circumstances:

(1) If the governing board of a school district, county board of education, or governing body or a charter school requests the advice and assistance of the California Collaborative for Educational Excellence.

(2) If the county superintendent of schools of the county in which the school district or charter school is located determines, following the provision of technical assistance pursuant to Section 52071 or 47607.3 as applicable, that the advice and assistance of the California Collaborative for Educational Excellence is necessary to help the school district or charter school accomplish the goals described in the local control and accountability plan adopted pursuant to this article.

(3) If the Superintendent determines that the advice and assistance of the California Collaborative for Educational Excellence is necessary to help the school district, county superintendent of schools, or charter school accomplish the goals set forth in the local control and accountability plan adopted pursuant to this article.

*(Amended by Stats. 2013, Ch. 357, Sec. 48. Effective September 26, 2013.)*

**52075.**

(a) A complaint that a school district, county superintendent of schools, or charter school has not complied with the requirements of this article or Sections 47606.5 and 47607.3, as applicable, may be filed with a school district, county superintendent of schools, or charter school pursuant to the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations.

(b) A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with the requirements of this article.

(c) A complainant not satisfied with the decision of a school district, county superintendent of schools, or charter school may appeal the decision to the Superintendent and shall receive a written appeal decision within 60 days of the Superintendent's receipt of the appeal.

(d) If a school district, county superintendent of schools, or charter school finds merit in a complaint, or the Superintendent finds merit in an appeal, the school district, county superintendent of schools, or charter school shall provide a remedy to all affected pupils, parents, and guardians.

(e) Information regarding the requirements of this article shall be included in the annual notification distributed to pupils, parents and guardians, employees, and other interested parties pursuant to Section 4622 of Title 5 of the California Code of Regulations or any successor regulation.

(f) School districts, county superintendents of schools, and charter schools shall establish local policies and procedures to implement the provisions of this section on or before June 30, 2014.

*(Added by Stats. 2013, Ch. 47, Sec. 103. Effective July 1, 2013.)*

#### **52076.**

Notwithstanding any other law, this article shall not be subject to waiver by the state board pursuant to Section 33050 or by the Superintendent.

*(Added by Stats. 2013, Ch. 47, Sec. 103. Effective July 1, 2013.)*

#### **52077.**

If any activities authorized pursuant to this article and implementing regulations are found to be a state reimbursable mandate pursuant to Section 6 of Article XIII B of the California Constitution, funding provided for school districts and county offices of education pursuant to Sections 2574, 2575, 42238.02, and 42238.03 shall be used to directly offset any mandated costs.

*(Added by Stats. 2013, Ch. 47, Sec. 103. Effective July 1, 2013.)*

### **INFECTIOUS DISEASE**

#### **EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS**

The superintendent or designee shall establish a written exposure control plan in accordance with state and federal standards for dealing with potentially infectious materials in the workplace, to protect employees from possible infection due to contact with bloodborne pathogens, including but not limited to hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV).

The Superintendent or designee shall determine which employees have occupational exposure to bloodborne pathogens or other potentially infectious materials. In accordance with the district's exposure control plan, employees having occupational exposure shall be offered the hepatitis B vaccination.

Any employee not identified by the Superintendent or designee as having occupational exposure may submit a request to be included in the training and hepatitis B vaccination program. The Superintendent or designee may deny a request when there is no reasonable anticipation of contact with any infectious material.

#### **REGULATIONS REGARDING EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS**

##### **Definitions**

Occupational Exposure means "reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties."

Exposure incident means "a specific eye, mouth, other mucous membrane, nonintact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties." Parenteral contact means "piercing mucous membranes or the skin barrier through such events as needlesticks, human bites, cuts, and abrasions."

## **Exposure Control Plan**

The district's exposure control plan shall contain at least the following components: [Title 8, Section 5193(c)]

1. A determination of which employees have occupational exposure to blood or other potentially infectious materials;
2. A description of the schedule and method for implementing exposure control requirements, including, but not limited to:
  - a. Universal precautions;
  - b. Engineering and work practice controls;
  - c. Personal protective equipment;
  - d. Hepatitis B vaccination;
  - e. Post-exposure evaluation and follow-up;
  - f. Informing employees about biohazards, including (1) labels and signs, and (2) training;
  - g. Maintenance of training and medical records.
3. The district's procedure for evaluating circumstances surrounding exposure incidents.

The exposure control plan shall be reviewed and updated at least annually and whenever necessary to:

1. Reflect new or modified tasks and procedures affecting occupational exposure;
2. Reflect new or revised employee positions with occupational exposure;
3. Review the exposure incidents, which occurred since the previous update.

The district's Exposure Control Plan shall be accessible to employee upon request.

## **Exposure Determination**

The district's exposure determination shall be made without regard to the use of personal protective equipment and shall include:

1. A determination of which employees have occupational exposure to bloodborne pathogens.
2. Job classifications in which some employees have occupational exposure.
3. All tasks and procedures, or groups of closely related tasks and procedures, in which occupational exposure occurs and which are performed by employees listed in item #2 above.

## **Hepatitis B Vaccination**

Hepatitis B vaccinations shall be provided at no cost to those employees determined to have occupational exposure to blood and other potentially infectious materials. Employees who decline to accept the vaccination shall sign the hepatitis B waiver statement as required by law. [Title 8, Section 5193(f)]

## **Personal Protective Equipment**

The district shall provide appropriate personal protective equipment at no cost to the employee. The district shall maintain, repair, make accessible and require employees to use and properly handle protective equipment. [Title 8, Section 5193(d)]

## **Information and Training**

The district shall provide a training program as specified by law to all employees in job classifications which have been determined to have some degree of occupational exposure. The program shall be offered at the time of initial assignment, annually thereafter, and whenever a change of tasks or procedures affect the employee's exposure. Employees who fall within the definition of designated first-aid providers shall also receive training. Such training shall include the specifics of reporting first-aid incidents which involve blood or body fluids which are potentially infectious. [Title 8, Section 5193(g)]

## **Exposure Incidents**

All exposure incidents must be reported as soon as possible to the Superintendent or designee. Following a report of an exposure incident, the district shall provide the exposed employee with a confidential medical evaluation and follow-up, as required by law. The district shall maintain the confidentiality of the affected employee and the exposure source during all phases of the post-exposure evaluation. [Title 8, Section 5193(f)]

## Records

Medical and training records shall be kept in accordance with law. Medical records shall be maintained for the duration of employment plus thirty years. Training records shall be maintained for three years from the date of training. Medical records for each employee with occupational exposure will be kept confidential as appropriate and transferred or made available in accordance with law. [Title 8, Section 5193(h)]

## UNIVERSAL PRECAUTIONS

All employees of the Oroville Union High School District will be annually informed about precautions that can be taken to prevent exposure to AIDS/HIV and Hepatitis B in the school setting.

Universal precautions shall be observed throughout the Oroville Union High School District to protect employees, students, and any other person in the school environment from contact with potentially infectious blood or other body fluids.

Universal precautions are appropriate for preventing the spread of all infectious disease and shall be used regardless of whether bloodborne pathogens are known to be present.

## REGULATIONS REGARDING UNIVERSAL PRECAUTIONS

### Definition

Universal precautions is an approach to infection control. According to the concept of universal precautions, all human blood and certain human body fluids are treated as if known to be infectious for HIV, HBV, and other bloodborne pathogens. [Title 8, Section 5193]

Human immunodeficiency virus (HIV) and hepatitis B virus (HBV) can be found in blood, semen, vaginal secretions, and breast milk. Other body fluids such as feces, urine, vomit, nasal secretions, sputum, and saliva may contain infectious germs that cause other disease. It is not always possible to know when blood or body fluids are infectious; therefore, all body fluids shall be handled as if infectious.

All students and staff shall routinely observe the following universal precautions for the prevention of infectious disease:

1. Wear disposable waterproof gloves whenever you expect to come into direct contact with blood, other body fluids, or contaminated items or surfaces. This applies to incidents including, but not limited to, caring for nosebleeds or cuts, cleaning up spills, or handling clothes soiled by blood or body fluids. Do not reuse gloves. After each use, remove the gloves without touching them outside and dispose of them in a lined waste container. Gowns or smocks should also be worn if you anticipate soiling of clothes by body fluids or secretions;
2. Wash hands and any other contacted skin surfaces thoroughly for 15 to 30 seconds with dispensable soap and warm running water, rinse under running water, and thoroughly dry with disposable paper towels;
  - a. Immediately after any accidental contact with blood, body fluids, drainage from wounds, or with soiled garments, objects for surfaces.
  - b. Immediately after removing gloves, gowns, or smocks.
  - c. Before eating, drinking or feeding.
  - d. Before handling food, cleaning utensils or kitchen equipment.
  - e. Before and after using the toilet or diapering.When running water is not available, use antiseptic hand cleanser and clean towels or antiseptic towelettes, and use soap and running water as soon as feasible.
3. Clean surfaces and equipment contaminated with blood with soap and water and disinfect them promptly with a fresh solution of bleach (ten parts water to one part bleach) or other disinfectant. While cleaning, wear disposable gloves and use disposable towels whenever possible. Rinse mops or other nondisposable items in the disinfectant.
4. Properly dispose of contaminated materials and label them as biohazardous.
  - a. Place blood, body fluids, gloves, bloody dressings, and other absorbent materials into appropriately labeled plastic bags or lined waste containers.
  - b. Place needles, syringes, and other sharp disposable objects in leak-proof, puncture-proof containers.
  - c. Bag soiled towels/other laundry. Presoak with disinfectant and launder with soap and water.
  - d. Dispose of urine, vomitus, or feces in the sanitary sewer system.
5. Do not care for others' injuries if you have any uncovered bleeding or oozing wounds or nonintact skin conditions.,

6. Use a mouthpiece, resuscitation bag, or other ventilation device when readily available in place of mouth-to-mouth resuscitation. Staff shall immediately report any exposure incident or first aid incident in accordance with the Oroville Union High School District's Exposure Control Plan.

All employees of the Oroville Union High School District will be annually informed about the precautions that can be taken to prevent exposure to AIDS/HIV and Hepatitis B in the school setting.

### **EMPLOYEE SAFETY**

Safety is every employee's responsibility. The Governing Board expects all employees to use safe work practices and to correct any unsafe conditions which may occur through education, training and enforcement.

No employees shall be required or permitted to work under unsafe or hazardous conditions or to perform tasks that endanger their health, safety, or well being. Working conditions and equipment shall be maintained in compliance with standards prescribed by federal, state, and local laws and regulations.

A written Safety Program and Injury and Illness Prevention Program is established by the Oroville Union High School District which includes Right to Know Training.

### **WORKERS' COMPENSATION**

#### **GENERAL INFORMATION**

All work-related injuries or illnesses must be reported to your supervisor immediately so that the appropriate actions can be taken. Details of the injury or illness must be provided in a written report and must be filed with the Personnel Department on the date of injury or as soon as possible thereafter.

Medical treatment will be provided through the Medical Provider Network (MPN) unless you have pre-designated your personal physician to treat you in case of a work-related injury or illness. Pre-designation must be done in writing with the physician's signature and on file with the Personnel Department prior to the injury.

#### **LEAVE INFORMATION**

Workers' Compensation benefits only cover doctor-ordered time off work, not the time taken for medical appointments. Therefore, sick leave will be charged for these hours. It is advised that all medical or therapy appointments be made before or after work hours.

All doctor-ordered days off from work are initially charged to available leave. Once the claim is approved, leave hours will be credited back to your account. Be advised that if a claim is reported as "work related" and is denied by our workers compensation carrier, you will be solely responsible for all charges incurred.

**CLASSIFIED & CONFIDENTIAL MANAGEMENT EMPLOYEES:** The 60-day count of industrial accident leave runs concurrently with sick differential leave.

**CERTIFICATED & CERTIFICATED MANAGEMENT EMPLOYEES:** The 60-day count of industrial accident leave does not run concurrently with sick differential. Once the 60-day industrial accident leave is exhausted, sick differential begins.

**SPECIAL NOTE FOR PERS MEMBERS:** Service credit is earned during time off while on industrial medical leave.

It is the policy of the Oroville Union High School District to accommodate work restrictions whenever feasible. If accommodations cannot be made and you cannot perform your regular duties, you may be temporarily assigned to an alternate duty under OUHSD's Return-To-Work-Program.

**FAMILY MEDICAL LEAVE ACT (FMLA) - Federal**  
**CALIFORNIA FAMILY RIGHTS ACT (CFRA) - State**

**WHO IS COVERED**

The FMLA/CFRA provides a means for employees to balance their work and family responsibilities by taking unpaid leave for certain reasons. The Act is intended to promote the stability and economic security of families as well as the nation's interest in preserving the integrity of families.

To be eligible for FMLA/CFRA leave, an individual must (1) be employed by a covered employer and work at a worksite within 75 miles of which that employer employs at least 50 people; (2) have worked at least 12 months (which do not have to be consecutive) for the employer; and (3) have worked at least 1,200 hours during the 12 months immediately before the date FMLA/CFRA leave begins.

**BASIC PROVISIONS/REQUIREMENTS**

The FMLA/CFRA provides an entitlement of up to 12 weeks of job-protected, unpaid leave during any 12-month period for the following reasons:

- Birth and care of the employee's child, or placement for adoption or foster care of a child with the employee;
- Care of an immediate family member (spouse, child, parent) who has a serious health condition; or
- Care of the employee's own serious health condition.
- For qualifying emergencies arising from the fact that the employee's spouse, son, daughter, or parent is on active duty or call to active duty status as a member of the National Guard or Reserves in support of a contingency operation.  
FMLA only

**Military Caregiver Leave:**

- Military Caregiver Leave provides eligible employees with up to 26 weeks of leave in any 12-month period in order to care for a service member with a serious illness or injury incurred in the line of duty on active duty.

If an employee was receiving group health benefits when leave began, an employer must maintain them at the same level and in the same manner during periods of FMLA/CFRA leave as if the employee had continued to work. Usually, an employee may elect (or the employer may require) the use of any accrued paid leave (vacation, sick, personal, etc.) for periods of unpaid FMLA/CFRA leave.

**2021 COVID-19 Supplemental Paid Sick Leave (SB 95)**

**► ELIGIBLE EMPLOYEES**

Covered Employees in the public or private sectors who work for employers with more than 25 employees are entitled to up to 80 hours of COVID-19 related sick leave from January 1, 2021 through September 30, 2021, immediately upon an oral or written request to their employer. If an employee took leave for the reasons below prior to March 29, 2021, the employee should make an oral or written request to the employer for payment.

**► QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19**

An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to telework, because the employee:

1. is subject to a quarantine or isolation period, defined by the state Department of Public Health, the CDC, or local health officer. (This does not include a general stay-at-home order.)
2. has been advised by a health care provider to self-quarantine related to COVID-19;
3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. is attending an appointment to receive a COVID 19 vaccine;
5. is experiencing COVID-19 vaccine symptoms that prevent him or her from working or teleworking.
6. is caring for a family member (as defined by the regular sick leave law) who is subject to a quarantine requirement or self-quarantine as advised by a health care provider.);
7. The employee is caring for a child whose school or place of care is closed due to COVID-19 on the premises.

### ►PAID LEAVE FOR COVERED EMPLOYEES

80 hours for those considered full-time employees. Full-time firefighters may be entitled to more than 80 hours, caps below apply.

- For part-time employees with a regular weekly schedule, the number of hours the employee is normally scheduled to work over two weeks.
- For part-time employees with variable schedules, 14 times the average number of hours worked per day over the past 6 months.

Rate of Pay for COVID-19 Supplemental Paid Sick Leave: Non-exempt employees must be paid the highest of the following for each hour of leave:

- Regular rate of pay for the workweek in which leave is taken
- State minimum wage • Local minimum wage
- Average hourly pay for preceding 90 days (not including overtime pay)

Exempt employees must be paid the same rate of pay as wages calculated for other paid leave time.

Not to exceed \$511 per day and \$5,110 in total for 2021 COVID-19 Supplemental Paid Sick leave.

Retaliation or discrimination against a covered employee requesting or using COVID-19 supplemental paid sick leave is strictly prohibited. A covered employee who experiences such retaliation or discrimination can file a claim with the Labor Commissioner's Office. Locate the office by looking at the list of offices on our website (<http://www.dir.ca.gov/dlse/DistrictOffices.htm>) using the alphabetical listing of cities, locations, and communities or by calling 1-833-526-4636. This poster must be displayed where employees can easily read it. If employees do not frequent.

### ASBESTOS

Pursuant to the EPA's Asbestos Hazard Emergency Response Act (AHERA), all Oroville Union High School District facilities have been inspected for asbestos containing materials and management plans for the control of asbestos have been developed. The management plan includes the inspections, response actions, post response actions activities, periodic re-inspections, and operations/maintenance activities.

Also included are the names of the inspector, the management planner, forms in the management plan required by the Office of Public School Construction and the documentation of all significant events including any fiber release episodes. All data relating to asbestos activities will be entered into the management plan within 30 days of the event.

A copy of the entire plan is available in the office of the designee (William Tronson, Maintenance Supervisor). Annual notifications will be made in the fall of each year. The management plan(s) will be available for review during regular business hours. A nominal duplicating fee may be charged for those who wish to obtain copies of the plans.

Periodic surveillance is performed. Small sections of asbestos may be removed throughout the year on regular maintenance and operations projects as necessary.

### INTEGRATED PEST MANAGEMENT (Healthy Schools Act of 2000)

The Oroville Union High School District in compliance with the Healthy Schools Act of 2000 utilizes a comprehensive Integrated Pest Management Program (IPM).

Some of the internal OUHSD IPM steps include:

- Minimization of open foodstuffs from surfaces (especially over night). *Please note that Maintenance staff has been instructed to dispose of any open foodstuffs left overnight in OUHSD premises. (This is the number one attraction for pest in our facilities.)*
- Minimization and prompt clean up of foods and potable liquids by staff.
- Increased sanitation of waste receptacles.
- Elimination of vegetation in contact of buildings.
- Sealing of external portions of structures that allow pest access points.

Some of the basic Contracted IPM steps includes (performed by Licensed Pest Control Companies):

- Inspection of the exteriors of buildings.
- Inspection, baiting and monitoring of the interior of buildings.
- Sweeping webs from exterior doorways and other accessible areas for spider control.
- Pest Identification and recommendations regarding pest problems and treatment.
- Inspections reports.

Products deployed may be in the form of self contained bait or trap, gels or paste deployed as a crack and crevice treatment, and any pesticide exempted from regulation by the United States Environmental Protection Agency pursuant to the Federal Insecticide, fungicide, and Rodenticide Act, or anti-microbial pesticides, including sanitizers and disinfectants. These exempted products may be utilized by the Licensed Pest Control applicator where determined appropriate. Use of these materials are exempted from the notification, posting and record keeping requirements of the act. Only in an extreme emergency (necessary to protect health and safety of students and staff) situation will a spray-type pesticide or other methods/products be used. **All pesticides applications must be approved by the maintenance supervisor.**

### **SEXUAL HARASSMENT**

Sexual harassment of, or by, any employee shall not be tolerated.

Pursuant to Education Code 212.5, unwelcome sexual advances, requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite gender, in the work or educational setting, constitute sexual harassment when:

1. Submission to the conduct is made expressly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of such conduct is used as the basis for an employment decision affecting the harassed employee.
3. The conduct has the purpose or effect of unreasonably interfering with the other individual's work or academic performance by creating an intimidating, hostile, or offensive work or educational environment.
4. Submission to, or rejection of, the conduct is the basis for any decision affecting benefits, services, honors, programs or other available activities.

Employees shall be encouraged to immediately report incidents of sexual harassment to his or her immediate supervisor, the principal, district administrator or Superintendent without fear of reprisal. Complaints involving sexual harassment shall be processed by using the complaint procedures outlined in Administrative Regulation 4031.

### **DRESS AND GROOMING**

The Governing Board believes that appropriate dress and grooming by district employees contribute to a productive learning environment and model positive behavior. During school hours and at school activities, employees shall maintain professional standards of dress and grooming that demonstrate their high regard for education, present an image consistent with their job responsibilities and assignment, and not endanger the health or safety of employees or students. All employees shall be held to the same standards unless their assignment provides for modified dress as approved by their supervisor.

### **EMPLOYEE USE OF TECHNOLOGY**

#### **User Obligations and Responsibilities:**

Employees are authorized to use the Oroville Union High School District's on-line services in accordance with user obligations and responsibilities specified in this policy.

1. The employee in whose name an on-line account is issued is responsible for its proper use at all times. Users shall keep account information, home addresses, and telephone numbers private. They shall use the system only under their own account number.
2. Employees shall use the system safely, responsibly, and primarily for work-related purposes.



3. Employees should have no expectation of privacy or confidentiality in the content of electronic communications or other computer files sent and received on the district's computer network or stored in his/her directory. The district reserves the right to monitor any on-line communications for improper use. Electronic communications and downloaded material, including files deleted from a user's account, may be monitored or read by district officials.
4. The use of the district's Education's system is a privilege, not a right, and inappropriate use may result in cancellation of those privileges.
5. Employees shall not access, post, submit, publish, or display harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race, ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs.
6. User's shall not use the system to promote unethical practices or any activity prohibited by law, Board policy or administrative regulations.
7. User's may download copyrighted material for educational purposes only. Employees shall not use the system to engage in commercial or other for-profit activities without the permission of the Superintendent or designee.
8. Employees shall not attempt to interfere with other users' ability to send or receive email, nor shall they attempts to read, delete, copy, modify, or forge other users' email.
9. Users shall report any security problem or misuse of the services to the Superintendent or designee.

### NOTICE TO STAFF

This notice will serve to confirm that the Oroville Union High School District is not responsible for damage to employee-owned vehicles while located on district property as there is no bailment relationship between the employee and district guaranteeing the safety/condition of the employee-owned vehicles.

However, vehicle damage that is proximately caused by the district's active negligence (example: mower kicking rock at vehicle windshield) may be considered.

### EMPLOYEE BENEFITS NOTICE - 403(B) OR 457 (B)

As an employee of the Oroville Union High School District, we are pleased to inform you that you are eligible to participate in our 403(b) or 457(b) retirement plan. Our 403(b) or 457(b) plan allows you to contribute money directly from your paycheck into a retirement account you choose from our approved list. Participation in the plan not only helps you prepare for a more financially secure future, it can provide significant tax advantages today.

To learn more, order the booklet **A Guide to Your California Retirement Benefits**, available at no charge from our plan administrator, Tax Deferred Solutions (TDS), California's largest independent provider of 403(b) and 457(b) plan administration services. In addition, you may also request a FREE estimate of your projected retirement benefits.

The book will help explain:

- Your STRS/PERS retirement benefit
- How to maximize your pension
- Ways to increase your service credit
- Supplemental retirement planning options available to you.

Visit [www.403bcompare.com](http://www.403bcompare.com) for information on investment providers available in our plan. A list of 457(b) providers is available from the payroll or benefits office or from TDS. Once selected, simply create an account and submit a Salary Amendment Agreement to us to begin contributing.

2012 "Normal" Contribution Limit, for 403(b) and 457(b).....	\$17,000.00
Additional Age-Related Annual "Catch-Up" Limit, for 403(b) and 457(b).....	\$ 5,000.00
Additional 402(g) Contribution Limit for a 403(b).....	Additional Amount Varies
"Final 3 Years" Contribution Limit for a 457(b).....	Additional Amount Varies

To order your free booklet contact: Donna Logasa, Oroville Union High School District Payroll Technician at (530) 538-2300 ext. 1105.

## New Health Insurance Marketplace Coverage Options

### **Part A: General Information**

When key parts of the health care law take effect in 2014, there will be a new way to buy private individual health insurance: the Health Insurance Marketplace. To assist you as you evaluate options for you and your family, this notice provides some basic information about the new Marketplace and employment-based health coverage we offer to you. Please note that this notice is informational only.

#### **What is the Health Insurance Marketplace?**

The Marketplace is designed to help you find private individual health insurance that meets your needs and fits your budget. The Marketplace offers "one-stop shopping" to find and compare private health insurance options. You may also be eligible for a new kind of tax credit that lowers your monthly premium right away. Open enrollment for health insurance coverage through the Marketplace begins in October 2013 for coverage starting as early as January 1, 2014.

#### **Can I Save Money on my Health Insurance Premiums in the Marketplace?**

You may qualify to save money and lower your monthly premium, but only if your employer does not offer coverage, or offers coverage that doesn't meet certain standards. The savings on your premium that you're eligible for depends on your household income.

#### **Does the Employment-Based Health Coverage We Offer to You Affect Your Eligibility for Premium Savings through the Marketplace?**

Yes. If we have offered you health coverage that meets certain standards, you will not be eligible for a tax credit through the Marketplace and you may wish to enroll in our health plan, if you are eligible. (Just because you received this Marketplace notice does not mean you are eligible.) However, you may be eligible for a tax credit that lowers your monthly premium, or a reduction in certain cost-sharing if we do not offer coverage to you at all or do not offer coverage that meets certain standards. If the cost of self-only coverage under our health plan is more than 9.5% of your household income for the year, or if our health plan does not meet the "minimum value"<sup>1</sup> standard set by the Affordable Care Act, you may be eligible for a tax credit.

Note: If you purchase a health plan through the Marketplace instead of accepting our health plan coverage, then you may lose our contribution (if any) to your coverage under our health plan. Also, our contribution—as well as your employee contribution—is often excluded from income for Federal and State income tax purposes. Your payments for coverage through the Marketplace are made on an after-tax basis.

#### **How Can I Get More Information About the Health Insurance Marketplace?**

The Marketplace can help you evaluate your coverage options, including your eligibility for coverage through the Marketplace and its cost. Please visit [HealthCare.gov](http://HealthCare.gov) for more information, including an online application for health insurance coverage and contact information for a Health Insurance Marketplace in your area.

### **Part B: Information About Employer-Provided Health Plan Coverage**

If you decide to complete an application for coverage in the Marketplace, you will be asked for information about our health plan coverage. The information below can help you complete your application for coverage in the Marketplace.

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<sup>1</sup> An employer-sponsored health plan meets the "minimum value standard" if the plan's share of the total allowed benefit costs covered by the plan is no less than 60 percent of such costs.

## 1. General Employer Information.

Employer name:	Oroville Union High School District
Employer Identification Number (EIN):	94-6002431
Employer street address:	2211 Washington Avenue
Employer phone number:	(530) 538-2300
Employer city:	Oroville
Employer state:	CA
Employer ZIP code:	95965
Who can we contact about employee health coverage at this job?:	Chello Metcalf
Phone number (if different from above):	(530) 538-2300 ext. 1117
Email address:	cmetcalf@ouhsd.org

**2. Eligibility.** You may be asked whether or not you are currently eligible for our health plan coverage or whether you will become eligible for coverage within the next three months. In addition, if you are or will become eligible, you may be required to list the names of your dependents that are eligible for coverage under our health plan.

If you would like information about the eligibility requirements for our health plan, please contact Deana Fallen at (530) 538-2300 ext. 1117 for a copy of the Summary Plan Description which outlines the eligibility provisions.

**3. Minimum Value.** If you are eligible for coverage under our health plan, you may be required to check a box indicating whether or not our health plan meets the minimum value standard. Our health plan coverage meets the minimum value standard.

**4. Premium Cost.** If you are eligible for coverage under our health plan, you may be asked to provide the amount of premiums you must pay under the lowest-cost health plan that meets the minimum value standard.

If you would like information about the premiums under our lowest-cost health plan, please contact Deana Fallen at (530) 538-2300 ext. 1117.

**5. Future Changes.** You may also be asked whether or not we will be making certain changes to our health plan coverage for the new plan year. As usual, you will be provided with information about any changes to our health plan coverage before the next open enrollment period. If you are not sure how to answer this question on your Marketplace application, please contact the Marketplace.

### Earned Income Tax Credit Information Act Communication

The California Revenue and Taxation Code (RTC) Section 19853 (b) requires local educational agencies (LEA) that operate the National School Lunch Program (NSLP) to annually notify households about the Earned Income Tax Credit (EITC) Information Act.

The EITC is a benefit for working people with low to moderate income. They must meet certain requirements and file a tax return, even if taxes are not owed or households are not required to file, to qualify. The EITC reduces the amount of tax households owe and may allow for a refund.

Below is the specific language that LEA must include when notifying households about the EITC. This language is in RTC Section 19854:

Based on your annual earnings, you may be eligible to receive the Earned Income Tax Credit from the Federal Government (Federal EITC). The Federal EITC is a refundable federal income tax credit for low-income working individuals and families. The Federal EITC has no effect on certain welfare benefits. In most cases, Federal EITC payments will not be used to determine eligibility for Medicaid, Supplemental Security Income, food stamps, low-income housing, or most Temporary Assistance for Needy Families payments. Even if you do not owe federal taxes, you must file a federal tax return to receive the Federal EITC. Be sure to fill out the Federal EITC form in the Federal Income

Tax Return Booklet. For information regarding your eligibility to receive the Federal EITC, including information on how to obtain the Internal Revenue Service (IRS) Notice 797 or any other necessary form and instructions, contact the IRS by calling 1-800-829-3676 or through its Website at [www.irs.gov](http://www.irs.gov).

You may also be eligible to receive the California Earned Income Tax Credit (California EITC) starting with the calendar year 20156 tax year. The California EITC is a refundable state income tax credit for low-income working individuals and families. The California EITC is treated in the same manner as the Federal EITC and generally will not be used to determine eligibility for welfare benefits under California law. To claim the California EITC, even if you do not owe California taxes, you must file a California income tax return and complete and attach the California EITC Form (FTB 3514). For information on the availability of the credit eligibility requirements and how to obtain the necessary California forms and get help with filing, contact the Franchise Tax Board at 1-800-852-5711 or through its website at [www.ftb.ca.gov](http://www.ftb.ca.gov).

For additional information, refer to the IRS EITC web page at <https://www.irs.gov/credits-deductions/individuals/earned-income-tax-credit> or the California EITC web page at <https://ftb.ca.gov/individuals/faq/net/900.shtml>.

*AS A PUBLIC EMPLOYEE, DID YOU KNOW...*

- Use of OUHSD telephones for personal long-distance and toll calls.
- Use of OUHSD mail system for personal use...
- Use or removal of OUHSD equipment for personal use...
- Use or removal of OUHSD supplies for personal use...
- Use of OUHSD facilities for personal use...
- Unauthorized absence from the work place during work hours...
- Collecting payment from two employees for the same work time...

*ARE DEFINED AS A "GIFT OF PUBLIC FUNDS" AND ARE PRACTICES THAT ARE ILLEGAL!*

**FOR THE MOST UP TO DATE INFORMATION PLEASE VISIT THE DISTRICT WEBSITE AT [www.ouhsd.org](http://www.ouhsd.org)**

**QUESTIONS CONCERNING THESE POLICIES MAY BE DIRECTED TO THE PERSONNEL DEPARTMENT**

Oroville Union High School District  
2211 Washington Avenue  
Oroville, CA 95966

Personnel  
(530) 538-2300 ext 1117

FMLA/CFRA LEAVE REQUEST

\_\_\_\_\_ IS A PATIENT AND \_\_\_\_\_ OF  
(Family Member's Name) (Relationship)

\_\_\_\_\_ NEEDING ASSISTANCE DURING AN ILLNESS  
(Employee's Name)

Physician's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Physician's Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_

License Number: \_\_\_\_\_

NOTE: This verification is necessary before approving an employee's request for leave of absence.

**MEDICAL LEAVE - PHYSICIAN'S STATEMENT**

\_\_\_\_\_ Is a patient and for MEDICAL REASONS should not work during the following period:

Exact date employee should stop working: \_\_\_\_\_

Estimated date employee can return to REGULAR work: \_\_\_\_\_

Estimated date employee can return to MODIFIED work: \_\_\_\_\_

With the following restrictions: \_\_\_\_\_

\_\_\_\_\_

Physician's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Physician's Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

License Number: \_\_\_\_\_

NOTE: This verification is necessary before approving  
an employee's request for a paid leave of absence due to  
medical reasons

Signed Statement - Annual Notification/New Hire Orientation

Child Abuse Neglect Reporting Act  
Drug and Alcohol-Free Workplace  
Tobacco-Free Schools  
Uniform Complaint Procedures  
LCAP Requirements  
Infectious Disease/Universal Precautions  
Employee Safety  
Workers' Compensation  
Leave Information (FMLA/CFRA/2021 COVID-19 SUPPLEMENTAL PSL)  
Asbestos Information  
Integrated Pest Management (Healthy Schools Act of 2000)  
Sexual Harassment  
Dress & Grooming  
Employee Use of Technology  
Notice to Staff - Employee-owned vehicles  
Employee Benefits Notice - 403(b0 and 457(b)  
Marketplace Notification  
Earned Income Tax Credit Information Act Communication  
Oath or Affirmation (New Hire Only)  
Health and Welfare Benefits (New Hire Only)  
Job Description (New Hire Only)  
PERS/STRS Information (New Hire Only)  
Employee Assistance Program Information (attached)

I have received the above information and will comply with its provisions:

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

This statement is a permanent record of the district.